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APPEAL, CMM

**U.S. District Court  
Southern District of Florida (Miami)  
CIVIL DOCKET FOR CASE #: 1:10-cv-22168-JLK**

Bonilla v. United States Department of Justice  
Assigned to: Senior Judge James Lawrence King  
Referred to: Magistrate Judge Chris M. McAliley  
Case in other court: 11-13486-F

Date Filed: 07/01/2010  
Date Terminated: 07/25/2011  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

Cause: 05:0552 Freedom of Information Act

**Plaintiff**

**Mario Simbaqueba Bonilla**

represented by **Mario Simbaqueba Bonilla**  
78997-004  
FDC Miami  
PO Box 019120  
Miami, FL 33101  
PRO SE

V.

**Defendant**

**United States Department of Justice**

represented by **Carole M. Fernandez**  
United States Attorney's Office  
Federal Justice Building  
99 NE 4th Street  
Miami, FL 33132  
305-961-9333  
Fax: 305-530-7139  
Email: Carole.Fernandez@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Noticing AUSA**

Email: usafls-civ@usdoj.gov

*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
07/01/2010	<a href="#"><u>1</u></a>	COMPLAINT against United States Department of Justice. Filing fee \$ 350.00, filed by Mario Simbaqueba Bonilla. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet, # <a href="#"><u>2</u></a> Exhibit)(asl) (Entered: 07/01/2010)
07/01/2010	2	Judge Assignment RE: Electronic Complaint to Senior Judge James Lawrence King (asl) (Entered: 07/01/2010)
07/01/2010	<a href="#"><u>3</u></a>	Summons Issued as to U.S. Attorney and U.S. Attorney General (asl) (Entered: 07/01/2010)
07/02/2010	4	Clerks Notice of Receipt of Filing Fee received on 7/1/2010 in the amount of \$ 350.00, receipt number FLS100002994 (asl) (Entered: 07/02/2010)
07/09/2010	<a href="#"><u>5</u></a>	SUMMONS (Affidavit) Returned Executed United States Department of Justice served on 7/1/2010, answer due 8/30/2010. (lh) (Entered: 07/09/2010)
07/13/2010	<a href="#"><u>6</u></a>	SUMMONS (Affidavit) Returned Executed by Mario Simbaqueba Bonilla. United States Department of Justice by serving U.S. Attorney General on 7/9/2010, answer due 9/7/2010. (Attachments: # <a href="#"><u>1</u></a> Certified Mail Receipt)(tp) (Entered: 07/14/2010)
08/02/2010	<a href="#"><u>7</u></a>	ANSWER to Complaint by United States Department of Justice.(Fernandez, Carole) (Entered: 08/02/2010)
08/11/2010	<a href="#"><u>8</u></a>	<b>VACATED</b> Per Order DE <a href="#"><u>16</u></a> ORDER OF DISMISSAL. Signed by Senior Judge James Lawrence King on 8/11/2010. (jw) Modified text on 10/12/2010 (jcy). (Entered: 08/11/2010)
08/18/2010	<a href="#"><u>9</u></a>	MOTION for Reconsideration re <a href="#"><u>8</u></a> Order Dismissing Case by Mario Simbaqueba Bonilla. (lh) (Entered: 08/19/2010)
09/07/2010	<a href="#"><u>10</u></a>	MOTION for Extension of Time to File Response/Reply as to <a href="#"><u>9</u></a> MOTION for Reconsideration re <a href="#"><u>8</u></a> Order Dismissing Case by United States Department of Justice. (Attachments: # <a href="#"><u>1</u></a> Text of Proposed Order)(Fernandez, Carole) (Entered: 09/07/2010)

09/08/2010	<a href="#"><u>11</u></a>	ORDER granting <a href="#"><u>10</u></a> Motion for Extension of Time to File Response. Signed by Senior Judge James Lawrence King on 9/8/2010. (ylo) (Entered: 09/08/2010)
09/08/2010	<a href="#"><u>12</u></a>	RESPONSE to Motion re <a href="#"><u>9</u></a> MOTION for Reconsideration re <a href="#"><u>8</u></a> Order Dismissing Case filed by United States Department of Justice. Replies due by 9/20/2010. (Fernandez, Carole) (Entered: 09/08/2010)
09/20/2010	<a href="#"><u>13</u></a>	MOTION for Extension of Time to File Reply as to <a href="#"><u>9</u></a> MOTION for Reconsideration re <a href="#"><u>8</u></a> Order Dismissing Case by Mario Simbaqueba Bonilla. (lh) (Entered: 09/21/2010)
09/21/2010	<a href="#"><u>14</u></a>	ORDER granting <a href="#"><u>13</u></a> Motion for Extension of Time to File Response/Reply. Reply to Defendant's Response to Plaintiff's Motion for Reconsideration due by 9/24/2010.. Signed by Senior Judge James Lawrence King on 9/21/2010. (smr) (Entered: 09/21/2010)
09/24/2010	<a href="#"><u>15</u></a>	REPLY to Response to Motion re <a href="#"><u>9</u></a> MOTION for Reconsideration re <a href="#"><u>8</u></a> Order Dismissing Case filed by Mario Simbaqueba Bonilla. (lh) (Entered: 09/27/2010)
10/12/2010	<a href="#"><u>16</u></a>	Order Granting Reconsideration of Dismissal. Signed by Senior Judge James Lawrence King on 10/12/2010. (jcy) (Entered: 10/12/2010)
11/15/2010	<a href="#"><u>17</u></a>	ORDER Directing Government to Submit Documentation. Signed by Senior Judge James Lawrence King on 11/15/2010. (jw) (Entered: 11/15/2010)
12/03/2010	<a href="#"><u>18</u></a>	MOTION for Summary Judgment by United States Department of Justice. Responses due by 12/27/2010 (Attachments: # <a href="#"><u>1</u></a> Affidavit (declaration) of John F. Boseker, with attached exhibits)(Fernandez, Carole) (Entered: 12/03/2010)
12/27/2010	<a href="#"><u>19</u></a>	MOTION for Extension of Time to File Response to <a href="#"><u>18</u></a> MOTION for Summary Judgment by Mario Simbaqueba Bonilla. (jcy) (Entered: 12/28/2010)
12/30/2010	<a href="#"><u>20</u></a>	Order Granting <a href="#"><u>19</u></a> Motion for Extension of Time. Signed by Senior Judge James Lawrence King on 12/29/2010. (jcy) (Entered: 12/30/2010)
01/04/2011	<a href="#"><u>21</u></a>	RESPONSE to <a href="#"><u>18</u></a> MOTION for Summary Judgment filed by Mario Simbaqueba Bonilla. Replies due by 1/14/2011. (jcy) (Entered: 01/04/2011)
01/06/2011	<a href="#"><u>22</u></a>	Notice of Filing by Mario Simbaqueba Bonilla (jcy) (Entered: 01/06/2011)
01/13/2011	<a href="#"><u>23</u></a>	ORDER Denying <a href="#"><u>18</u></a> Motion for Summary Judgment. Signed by Senior Judge James Lawrence King on 1/12/2011. (jw) (Entered: 01/13/2011)

01/13/2011	<a href="#"><u>24</u></a>	SCHEDULING ORDER: Final Pretrial Conference set for 2/3/2012 09:30 AM in Miami Division before Senior Judge James Lawrence King. Jury Trial set for 3/26/2012 09:00 AM in Miami Division before Senior Judge James Lawrence King. Calendar Call set for 3/22/2012 02:00 PM in Miami Division before Senior Judge James Lawrence King. All hearings will be held in Courtroom II, Eleventh Floor. Discovery due by 11/23/2011. Motions due by 11/28/2011. Pretrial Stipulation due by 1/27/2012. Signed by Senior Judge James Lawrence King on 1/13/2011. (jw) (Entered: 01/13/2011)
01/13/2011	<a href="#"><u>25</u></a>	MOTION for Discovery by Mario Simbaqueba Bonilla. Responses due by 1/31/2011 (ls) (Entered: 01/14/2011)
01/14/2011	<a href="#"><u>26</u></a>	AMENDED ORDER re <a href="#"><u>24</u></a> Scheduling Order,. Signed by Senior Judge James Lawrence King on 1/14/2011. (jw) (Entered: 01/14/2011)
01/14/2011	<a href="#"><u>27</u></a>	EXHIBITS by Mario Simbaqueba Bonilla re: <a href="#"><u>25</u></a> MOTION for Discovery filed by Mario Simbaqueba Bonilla. Related document: <a href="#"><u>25</u></a> MOTION for Discovery filed by Mario Simbaqueba Bonilla.(jcy) (Entered: 01/18/2011)
01/18/2011	<a href="#"><u>28</u></a>	ORDER REFERRING MOTION: <a href="#"><u>25</u></a> MOTION for Discovery filed by Mario Simbaqueba Bonilla. Motions referred to Ted E. Bandstra. Signed by Senior Judge James Lawrence King on 1/18/2011. (jw) (Entered: 01/18/2011)
01/31/2011	<a href="#"><u>29</u></a>	RESPONSE in Opposition re <a href="#"><u>25</u></a> MOTION for Discovery filed by United States Department of Justice. (Fernandez, Carole) (Entered: 01/31/2011)
02/01/2011	<a href="#"><u>30</u></a>	Notice of Pending, Refiled, or Similar Actions by Mario Simbaqueba Bonilla (jcy) (Entered: 02/01/2011)
02/14/2011	<a href="#"><u>31</u></a>	MOTION for Leave to File Excess Pages in his Reply in support of his Motion for Discovery by Mario Simbaqueba Bonilla. (ls) (Entered: 02/14/2011)
02/14/2011	<a href="#"><u>32</u></a>	MOTION for Hearing/Oral Argument re <a href="#"><u>25</u></a> MOTION for Discovery by Mario Simbaqueba Bonilla. (ls) (Entered: 02/14/2011)
02/14/2011	<a href="#"><u>33</u></a>	MOTION for Extension of Time to File Reply as to <a href="#"><u>25</u></a> MOTION for Discovery by Mario Simbaqueba Bonilla. (ls) (Entered: 02/14/2011)
02/15/2011	<a href="#"><u>34</u></a>	REPLY to Response to <a href="#"><u>25</u></a> MOTION for Discovery filed by Mario Simbaqueba Bonilla. (jcy) (Entered: 02/15/2011)
02/22/2011	<a href="#"><u>35</u></a>	Notice of similar actions and procedures by Mario Simbaqueba Bonilla (lk) (Entered: 02/22/2011)

02/22/2011	<a href="#">36</a>	Order on Motions. Signed by Magistrate Judge Ted E. Bandstra on 2/22/2011. (jcy) (Entered: 02/23/2011)
04/13/2011	<a href="#">37</a>	Order on Motion for Discovery. Signed by Magistrate Judge Ted E. Bandstra on 4/13/2011. (jcy) (Entered: 04/13/2011)
04/15/2011	38	Case Reassignment of Paired Magistrate Judge pursuant to Administrative Orders 2010-145 and 2011-18 to Magistrate Judge Chris M. McAliley. (vp) (Entered: 04/15/2011)
04/15/2011	<a href="#">39</a>	Renewed MOTION for Summary Judgment ( Responses due by 5/2/2011), MOTION for Leave to Provide Any Responsive Records for In Camera Review by United States Department of Justice. (Fernandez, Carole) (Entered: 04/15/2011)
04/20/2011	<a href="#">40</a>	ORDER Granting re <a href="#">39</a> MOTION for Leave to Provide Any Responsive Records for In Camera Review filed by United States Department of Justice. Signed by Senior Judge James Lawrence King on 4/19/2011. (jw) (Entered: 04/20/2011)
04/21/2011		SYSTEM ENTRY - Docket Entry 41 restricted/sealed until further notice. (vp) (Entered: 04/21/2011)
04/21/2011		SYSTEM ENTRY - Docket Entry 42 restricted/sealed until further notice. (vp) (Entered: 04/21/2011)
04/27/2011		SYSTEM ENTRY - Docket Entry 43 restricted/sealed until further notice. (nc) (Entered: 04/27/2011)
05/02/2011	<a href="#">44</a>	Motion for Continuance of Motion for Summary Judgment by Mario Simbaqueba Bonilla. Responses due by 5/19/2011 (jcy) (Entered: 05/02/2011)
05/04/2011	<a href="#">45</a>	MOTION for Reconsideration re <a href="#">40</a> Order by Mario Simbaqueba Bonilla. (jcy) (Entered: 05/04/2011)
05/05/2011	<a href="#">46</a>	ORDER Granting <a href="#">44</a> Motion For Extension of Time. Signed by Senior Judge James Lawrence King on 5/5/2011. (jw) (Entered: 05/05/2011)
05/05/2011		Reset Deadlines as to <a href="#">39</a> Renewed MOTION for Summary Judgment MOTION for Leave to Provide Any Responsive Records for In Camera Review. Responses due by 6/17/2011 (tp) (Entered: 05/05/2011)
05/16/2011	<a href="#">47</a>	MOTION for Enlargement of Time to File Discovery Request by Mario Simbaqueba Bonilla. (drz) (Entered: 05/16/2011)

05/19/2011	<a href="#">48</a>	RESPONSE in Opposition re <a href="#">45</a> MOTION for Reconsideration re <a href="#">40</a> Order filed by United States Department of Justice. (Fernandez, Carole) (Entered: 05/19/2011)
05/20/2011	<a href="#">49</a>	ORDER Requiring Response re <a href="#">47</a> MOTION for Extension of Time to Complete Discovery, filed by Mario Simbaqueba Bonilla. Response due by 5/27/2011. Signed by Magistrate Judge Chris M. McAliley on 5/20/2011. (rms) (Entered: 05/20/2011)
05/24/2011	<a href="#">50</a>	Plaintiff's REPLY to Defendant's Response to Plaintiff's Motion for Reconsideration of DE 40 <a href="#">48</a> Response in Opposition to Motion by Mario Simbaqueba Bonilla. (drz) (Entered: 05/24/2011)
05/26/2011	<a href="#">51</a>	RESPONSE in Opposition re <a href="#">47</a> MOTION for Extension of Time to Complete Discovery filed by United States Department of Justice. (Attachments: # <a href="#">1</a> Exhibit Complaint in S.D. Ohio Case No. 2:11-cv-00062)(Fernandez, Carole) (Entered: 05/26/2011)
05/26/2011	<a href="#">52</a>	Order Denying Reconsideration. Signed by Senior Judge James Lawrence King on 5/26/2011. (jcy) (Entered: 05/27/2011)
06/01/2011	<a href="#">53</a>	ORDER granting <a href="#">47</a> Motion for Extension of Time to Complete Discovery. See Order for details. Signed by Magistrate Judge Chris M. McAliley on 5/31/2011. (rms) (Entered: 06/01/2011)
06/08/2011	<a href="#">54</a>	Plaintiff's Renewed MOTION for Discovery by Mario Simbaqueba Bonilla. Responses due by 6/27/2011 (drz) (Entered: 06/08/2011)
06/14/2011	<a href="#">55</a>	MOTION for Leave to Supplement Plaintiff's Renewed Motion for Discovery re <a href="#">54</a> MOTION for Discovery by Mario Simbaqueba Bonilla. (drz) (Entered: 06/14/2011)
06/21/2011	<a href="#">56</a>	MOTION for a Second Enlargement of Time in which to File Plaintiff's Opposition to Defendants Renewed Motion for Summary Judgment nunc-pro-tunc re <a href="#">39</a> Renewed MOTION for Summary Judgment MOTION for Leave to Provide Any Responsive Records for In Camera Review by Mario Simbaqueba Bonilla. (drz) (Entered: 06/21/2011)
06/22/2011	<a href="#">57</a>	RESPONSE in Opposition re <a href="#">54</a> MOTION for Discovery filed by United States Department of Justice. (Fernandez, Carole) (Entered: 06/22/2011)
06/23/2011	<a href="#">58</a>	Order Withdrawing Reference to Magistrate and Denying Motions for Discovery and Extension of Time. Signed by Senior Judge James Lawrence King on 6/23/2011. (jcy) (Entered: 06/23/2011)
07/25/2011	<a href="#">59</a>	ORDER Granting <a href="#">39</a> Motion for Summary Judgment. Signed by Senior Judge James Lawrence King on 7/25/2011. (jw) (Entered: 07/25/2011)

07/29/2011	<a href="#">60</a>	NOTICE OF APPEAL filed by Mario Simbaqueba-Bonilla re <a href="#">59</a> Order on Motion for Summary Judgment by Mario Simbaqueba Bonilla. Filing Fee: (FEE NOT PAID). Within fourteen days of the filing date of a Notice of Appeal, the appellant must complete the Eleventh Circuit Transcript Order Form regardless of whether transcripts are being ordered [Pursuant to FRAP 10(b)]. For information go to our FLSD website under Transcript Information. (amb) (Entered: 07/29/2011)
07/29/2011		Transmission of Notice of Appeal, Order Under Appeal and Docket Sheet to US Court of Appeals re <a href="#">60</a> Notice of Appeal, (amb) (Entered: 07/29/2011)
08/05/2011	<a href="#">61</a>	TRANSCRIPT INFORMATION FORM by Mario Simbaqueba Bonilla re <a href="#">60</a> Notice of Appeal,. No Transcript Requested. (amb) (Entered: 08/08/2011)
08/09/2011	<a href="#">62</a>	Acknowledgment of Receipt re <a href="#">60</a> Notice of Appeal, filed by Mario Simbaqueba Bonilla. Date received by USCA: 8/3/11. USCA Case Number: 11-13486-F. (hh) (Entered: 08/09/2011)
08/22/2011	<a href="#">63</a>	MOTION for Leave to Appeal in forma pauperis by Mario Simbaqueba Bonilla. (amb) (Entered: 08/23/2011)
08/25/2011	<a href="#">64</a>	ORDER Denying <a href="#">63</a> Motion for Leave to Appeal in forma pauperis. Signed by Senior Judge James Lawrence King on 8/24/2011. (jw) (Entered: 08/25/2011)

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